



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: ALTERNATIVE TAX APPORTIONMENT (TEETER)

MEETING DATE: October 20, 1993

PREPARED BY: Finance Director

RECOMMENDED ACTION: That the City Council adopt the attached Resolution to authorize the San Joaquin County Auditor-Controller to apportion property tax revenues due the City of Lodi in accordance with the provisions of the Teeter Plan.

BACKGROUND INFORMATION: On September 23, 1993, San Joaquin County notified all local agencies in San Joaquin County that the County Board of Supervisors would adopt an alternative property tax apportionment method known as the "Teeter Plan" for those agencies wishing to participate in the Plan. (See Tab A). On October 5, 1993, the County Board of Supervisors adopted the Teeter Plan at a regularly scheduled meeting of the Board.

The County has requested from cities that wish to participate in the "Teeter Plan" a City Council Resolution authorizing the San Joaquin County Auditor-Controller to apportion property tax revenues due their City in accordance with the provisions of the Teeter Plan.

REASONS ADOPTING THE TEETER PLAN

The "Teeter Plan" results in the following benefits to the City of Lodi:

- * The City will receive 100% of the current secured tax levy in the current year instead of 95% as apportioned under the current plan. The remaining 5% is apportioned to the City of Lodi as delinquent taxes are received over the next 5 years.
- * The administrative effort required to track property tax collection and distribution is reduced.
- * The City will receive a one-time catch distribution of property tax this year in the amount of \$482,000 which mitigates the impact of the State property tax "grab" over the last two years.

REASON FOR NOT ADOPTING THE TEETER PLAN

By supporting the "Teeter Plan" the City of Lodi forfeits the right to future tax penalties in the amount of 1 1/2% per month of delinquent property taxes due the City. This is approximately \$150,000 per year based on current delinquencies.

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

CONCLUSION

The alternative method of tax apportionment known as the "Teeter Plan" will give the City of Lodi a one-time distribution of \$482,000 in needed revenues to offset property losses due to State "grabs" of the City's property tax both this year and last year. For this, the City will forfeit future rights to tax penalties on the unpaid property tax.

A handwritten signature in black ink, appearing to read "Dixon Flynn", is written over the printed name.

Dixon Flynn
Finance Director

Resolution No

**RESOLUTION REQUESTING INCLUSION OF THIS CITY INTO
THE ALTERNATIVE METHOD OF PROPERTY TAX DISTRIBUTION
KNOWN AS THE TEETER PLAN**

WHEREAS, State Law authorizes counties to adopt alternative procedures for the distribution of property tax revenue, commonly known as the Teeter Plan; and

WHEREAS, the Revenue and Taxation Code Sections 4701 and 4717 allow for this alternative method of property tax apportionment; and

WHEREAS, this City Council has determined that adoption of the Teeter Plan by the County of San Joaquin and application of the Teeter Plan to this City is beneficial;

NOW, THEREFORE, BE IT RESOLVED that upon approval of the Board of Supervisors of the County of San Joaquin, the San Joaquin County Auditor-Controller is authorized to apportion property tax revenues due this City according the provisions of the Teeter Plan.

Adopted by the City Council of the City of Lodi this 20th day of October 1993 by the following vote:

AYES: Council Members -

NOES: Council Members -

ABSENT: Council Members -

ABSTAIN: Council Members -

Jennifer M. Perrin
City Clerk

SEP 08 1993

FROM

TO: HIRSHBERG

P.01

Shabbir

Office of the
County Administrator



COUNTY OF SAN JOAQUIN

Courthouse, Room 707
222 East Weber Avenue
Stockton, California 95202-2778
(209) 468-3211

September 23, 1993

Same letter has been sent to:

- City Managers
- Superintendent of Schools
- Redevelopment Agencies
- Special Districts not governed by the County Board of Supervisors

Dear

Alternative Method of Tax Apportionment (Teeter Plan)

Revenue and Taxation (R&T) Code Sections 4701 through 4717 allow for an alternative method of tax apportionment known as the Teeter Plan. This method allows counties to apportion 100% of current taxes levied (billed) to taxing entities and eliminates the need to apportion delinquent taxes collected.

On August 11, 1993, the County Board of Supervisors conceptually approved the implementation of the Teeter Plan effective fiscal year 1993-94. Based on the preliminary benefit analysis prepared jointly by the Auditor-Controller, the Treasurer-Tax Collector, and the County Administrator, except for the school districts, it is anticipated that this plan will provide substantial one-time benefits for all local taxing entities. It will also provide a consistent, predictable cash flow in future years.

According to R&T Code Section 4715, any agency that is deemed not to have the County Treasury as its legal depository must have its governing body adopt a resolution to be included in the Teeter Plan. The County Auditor's Office must receive your agency's approved resolution as soon as possible to allow the San Joaquin County Board of Supervisors' approval by the October 15 deadline.

An informational meeting regarding the Teeter Plan has been scheduled to be held at the following time and place:

Date: Thursday, September 30, 1993
Time: 8:30 a.m.
Place: Sheriff's Auditorium
Courthouse, Basement
222 East Weber Avenue
Stockton, California

Post-It brand fax transmittal memo 7571		# of pages - 3
From		SHABBIR
To		CITY OF Lodi
Co.		AUDITOR-CONT.
Dept.	FINANCE	
Phone #		
Fax #		


Alternative Method of Tax Apportionment (Teeter Plan)

September 23, 1993
Page 2

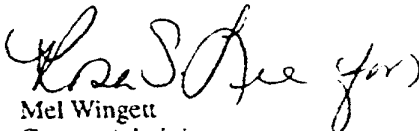
The following attachments are included here to provide you additional information regarding the Teeter Plan and its impacts to your agency. These will be discussed in detail at Thursday's meeting.

- Attachment A — Fact Sheet
- Attachment B — Comparison of Regular vs. Teeter Allocation for 1988-89 to 1992-93
- Attachment C — Projected 1993-94 One-Time Benefit
- Attachment D — Sample "Opt-In" Resolution

We strongly urge your attendance as the Teeter Plan may have significant short- and long-term fiscal implications for your agency. If you have any questions before our scheduled meeting, please do not hesitate to call me at 468-3211, or Adrian Van Houten, Auditor-Controller, at 468-3925, or Tom Russell, Treasurer-Tax Collector, at 468-2133.


Adrian Van Houten
Auditor-Controller


Thomas R. Russell
Treasurer-Tax Collector


Mel Wingett
County Administrator

MGW:RSL
Attachments

#RSL09-05

Attachment A

County of San Joaquin

Alternative Method of Tax Apportionment The "Teeter" Plan

Background/Status

In 1949, the State Legislature adopted Revenue and Taxation Code Section 4701 which authorized the "Alternative Method of Property Tax Distribution." This alternative method was proposed by the Contra Costa County Auditor-Controller whose last name was Teeter, and therefore, the method is sometimes referred to as the "Teeter" Plan. As stated in Section 4701, "It is . . . the object to this alternative procedure to accomplish a simplification of the tax-levying and tax-apportioning process and an increased flexibility in the use of available cash resources." This method has been used by Contra Costa for over 40 years and is used in four other counties (Solano, Siskiyou, El Dorado, and Tuolumne). Many counties are now considering whether to convert to the Teeter Plan because of the local property tax shift to schools and the one-time property tax reduction provision of SB 742.

The basic concept of the Teeter Plan is that each taxing agency receives 100% of their current secured tax levy. The amount paid each year in excess of actual collections is funded from a Tax Resources Fund. Monies collected from delinquent secured taxes are then added back to the Tax Resources Fund. Delinquent and redemption penalties are placed in a Tax Loss Reserve Fund. When the reserve fund reaches four percent of all taxes and assessments levied for the fiscal year, any excess is then available to the County General Fund.

Currently, the County Auditor-Controller apportions secured taxes as collected. Since collections are normally 95% to 97% of levy, there is always a portion of secured taxes that become delinquent. When these delinquent taxes are paid, taxes and penalties are apportioned to the taxing agencies. If the taxes are never paid and the property is sold by the County, taxing agencies, including the County, wait at least five years to receive their share of secured taxes.

Conversion to the Teeter Plan requires agencies to forego their distribution of delinquent penalties and redemption penalties, currently at 1-1/2% per month, on delinquent taxes which they now receive under the conventional (regular) apportionment method. However, they would receive 100% of their secured tax levy each year, with the delinquent and redemption penalties reverting to the Tax Loss Reserve Fund.

To convert to the Teeter Plan, San Joaquin County would be required to buy out the existing delinquent taxes owed to each taxing agency. It is estimated that the buy-out of all delinquent taxes, direct assessments (including Mello Roos), and penalties, at June 30, 1993 to be approximately \$29.6 million.

Revenue and Taxation Code Section 4713 requires that five percent of the buy-out amount, excluding the portion pertaining to special assessment, be deposited into the Tax Loss Reserve Fund.

Potential Benefits:

The Teeter Plan offers the taxing agencies in San Joaquin County the following benefits:

- Provides a one-time increase in property tax revenues to all taxing agencies.
- Simplifies the property tax revenue estimation and allocation process for the agencies and the Auditor-Controller
- Stabilizes property tax revenues for all recipient agencies.

Fisc Implications:

The Teeter Plan has a direct effect on every agency that receives a share of San Joaquin County's secured property taxes or places special assessments on the tax roll. All taxing agencies converted to the Teeter Plan would receive 95% of the delinquent property taxes plus 95% of prior years' delinquent and redemption penalties and 100% of current year levy. Additionally, agencies, except schools, would also benefit because the County would be buying out delinquent taxes at property tax distribution factors not affected by the property tax shifts for 1993-94.

For the County General Fund, the one-time increase in property taxes would be approximately \$8.8 million. This \$8.8 million will be used to finance the required reserves to implement the Teeter Plan. Additionally, SB 742 (1993) allows counties converting to the Teeter Plan a one-time property shift reduction for the excess property tax revenue that schools receive in 1993-94 due to the conversion. This one-time "credit" for the County is estimated to be approximately \$10.6 million.

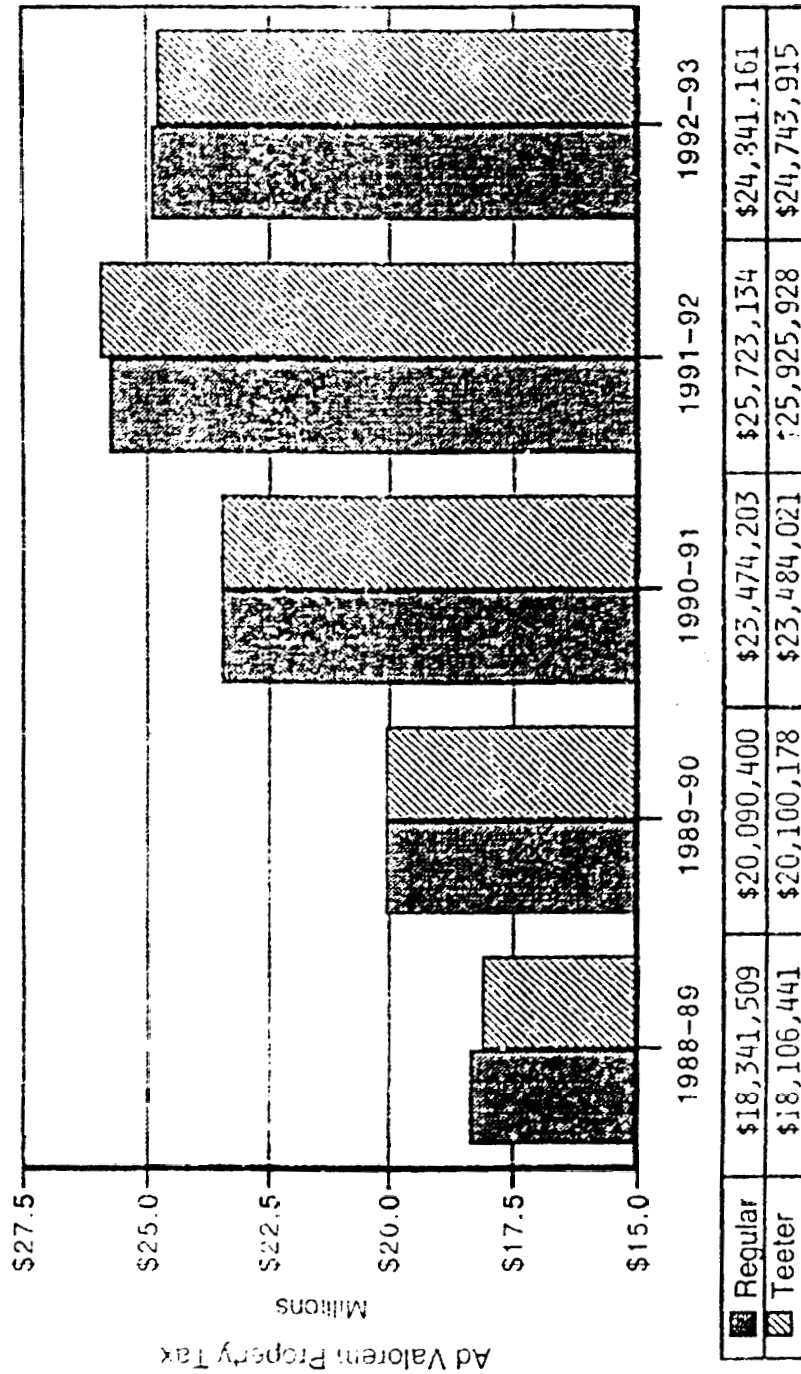
Steps to Implementation:

- San Joaquin County Board of Supervisors must adopt a resolution converting to the Teeter Plan by October 15, 1993.
- Any taxing agency that is deemed not to have the County Treasury as its legal depository must have its governing body adopt a "opt-in" resolution to be included in the Teeter Plan
- Any modifications to the property tax allocation system must be implemented prior to the first property tax allocation in December 1993.

Attachment B

San Joaquin County Cities

Comparison of Regular Vs. Teeter Method Allocation



County of San Joaquin
Conversion to Teeter Plan — Financial Analysis
Projected 1993-94 Secured & Delinquent Property Tax Allocation

Entity	Conventional Allocation Method (Regular)			Teeter Plan Allocation Method			Total Allocation G = D+E+F	1993-94 Gain H = G-C
	Current Secured (95% of Charges) A = D x 95%	Delinquent (Actual 92-93 Rev.) B	Total Allocation C = A+B	Current Secured (100% of Charges) D	Delinquent (95% of A/R) E	Unapportioned Taxes Collected (In Jan. - June 93) F		
County General Fund	41,755,116	4,776,418	46,531,534	43,952,754	9,605,619	1,769,838	55,328,211	8,796,677
Road Districts	2,529,400	151,628	2,681,117	2,662,621	397,101	72,411	3,132,133	451,016
County Library	1,739,271	102,337	1,841,607	1,830,812	406,900	72,416	2,310,127	469,520
Cemetery Districts	139,822	10,099	150,022	147,287	18,835	3,474	169,596	19,575
Drainage Districts	31,483	2,349	33,832	33,140	4,114	759	38,013	4,180
Cities								
Eureka	298,477	21,456	309,932	303,660	48,439	8,557	358,656	46,723
Lodi	540,911	38,412	579,323	590,433	78,953	102,031	771,431	174,107
Lodi	3,457,150	268,100	3,725,250	3,639,137	553,812	14,548	4,207,497	482,246
Manteca	1,132,563	146,576	1,279,139	1,867,014	360,120	55,311	2,242,504	963,365
Ripon	1,111,193	1,516	1,112,709		42,791	7,051	279,300	
Stockton	12,760,255	338,011	13,098,266		2,061,417	379,835	15,873,100	2,774,834
Tracy	2,972,353	229,821	3,202,174	3,128,792	502,397	92,571	3,723,760	521,586
Huron Muni Sewer	40,939	2,704	43,643	43,094	5,617	1,000	49,711	6,068
Lodi Storm Drainage	86,512	5,806	92,118	91,066	11,701	2,083	104,849	12,731
Lodi Street Lighting	9,214	600	9,814	9,699	1,222	217	11,138	1,324
Lodi Water District	47,032	2,884	49,917	49,507	6,153	1,095	56,755	6,839
Fire Districts	7,487,915	354,795	7,842,710	7,882,016	963,710	176,825	9,027,551	1,184,841
Flood Control Districts	616,711	48,544	665,355	649,169	83,525	15,390	743,084	82,729
Lighting Districts	95,211	7,654	102,866	100,220	13,266	2,451	115,959	13,093
Maintenance Districts	214,923	19,966	234,889	226,235	28,993	5,381	260,609	25,720
Mosquito Abate District	1,387,633	94,676	1,482,309	1,460,877	186,755	34,330	1,682,013	199,503
Reclamation Districts	362,176	26,821	388,997	381,238	41,053	7,543	429,834	40,837
Sanitary Districts	53,082	4,395	57,477	55,878	7,516	1,392	64,784	7,306
Lockeford Community Service	52,670	3,921	56,592	55,443	7,116	1,320	63,879	7,287
Water Conservation Districts	400,107	26,523	426,630	421,165	51,289	9,253	481,707	55,078
Irrigation Districts	1,517,311	112,037	1,629,348	1,597,169	207,787	38,372	1,843,328	213,980
Stockton MetroTransit	408,629	40,113	448,741	430,135	55,832	10,401	496,369	47,627
County Service Areas	91,099	6,197	97,895	96,525	22,734	4,111	123,371	25,475
Redevelopment Agencies	5,970,031	342,727	6,312,758	6,284,243	687,854	107,884	7,079,981	767,223

September 23, 1993

Prepared By SJC CAG/Auditor/Controller

Attachment C

09-01-1993 11:11:00 AM

TO 912325755

P.06

Attachment D

Resolution of the City Council of _____

Resolution 93-_____

**Resolution Requesting Inclusion of this City into
The Alternative Method of Property Tax Distribution
Known As The Teeter Plan**

WHEREAS, State Law authorizes counties to adopt an alternative procedure for the distribution of property tax revenue, commonly known as the Teeter Plan; and

WHEREAS, Revenue and Taxation Code Sections 4701 through 4717 allow for this alternative method of property tax apportionment; and

WHEREAS, this City Council has determined that adoption of the Teeter Plan by the County of San Joaquin and application of the Teeter Plan to this City would be beneficial;

NOW, THEREFORE, BE IT RESOLVED that upon the approval of the Board of Supervisors of the County of San Joaquin, the San Joaquin County Auditor-Controller is authorized to apportion property tax revenues due this City according to the provisions of the Teeter Plan.

Attachment D

Resolution of the Board of Directors of _____

Resolution 93-_____

**Resolution Requesting Inclusion of this District into
The Alternative Method of Property Tax Distribution
Known As The Teeter Plan**

WHEREAS, State Law authorizes counties to adopt an alternative procedure for the distribution of property tax revenue, commonly known as the Teeter Plan; and

WHEREAS, Revenue and Taxation Code Sections 4701 through 4717 allow for this alternative method of property tax apportionment; and

WHEREAS, this Board of Directors has determined that adoption of the Teeter Plan by the County of San Joaquin and application of the Teeter Plan to this District would be beneficial;

NOW, THEREFORE, BE IT RESOLVED that upon the approval of the Board of Supervisors of the County of San Joaquin, the San Joaquin County Auditor-Controller is authorized to apportion property tax revenues due this District according to the provisions of the Teeter Plan.

8. INFORMATI

Local Government Finance SB 742 (Senate Committee on Budget and Fiscal Review). Teeter Plan. Signed by Governor.

In 1993-94, many counties in the state will be implementing a different property tax allocation procedure in 1993-94 known as the "Teeter Plan". First enacted in 1949, the "Teeter Plan" provides an alternative way to handle the allocation of revenues attributable to delinquent property taxes. Counties may, but are not required to, use the Teeter Plan. Prior to 1993-94, five counties (Contra Costa, El Dorado, Modoc, Siskiyou and Solano) implemented the Teeter Plan. Counties may adopt the Teeter Plan, after a public hearing, by resolution of the board of supervisors. The plan will thereafter remain in effect unless (1) the board orders its discontinuance or (2) a petition is filed with the board by not less than two-thirds of the participating revenue districts in the county for its discontinuance.

Signed by the Governor on July 19, 1993, SB 742 extends the date by which counties must pass an ordinance enacting the Teeter Plan from July 15 to October 15 for the 1993-94 fiscal year. In addition, SB 742 allows counties adopting the Teeter Plan for the first time this year to reduce their 1993-94 property tax shift pursuant to SB 1135 by an amount equal to the net property tax revenues received by school districts in 1993-94 attributable to the Teeter Plan.

Counties electing to operate under the Teeter Plan allocate property taxes to jurisdictions based on the total amount of property taxes levied, not the amount collected. At the time the county adopts the Teeter Plan, the county must forward to each local agency delinquent property taxes from prior fiscal years. In each county that adopts the Teeter Plan for the first time in 1993-94, the cities and all other taxing agencies will receive a lump sum payment of all prior delinquencies.

For counties not operating under the Teeter Plan, interest and penalty is allocated to all local agencies based on their pro rata share of the delinquent property tax. However, the county does retain the penalty on delinquent property taxes if the delinquency is cleared up within the same fiscal year. By adopting the Teeter Plan counties are allowed to retain the interest and penalty on delinquent property taxes in exchange for advancing the full property tax payment to other jurisdictions. Given the current spread between the rate at which counties can borrow funds to finance the revenues they advance to other jurisdictions, and the interest rate of 18% and the 10% penalty charged on delinquent taxes, some counties believe they can profit from adoption of the Teeter Plan.

Other counties have estimated that except for the one-time reduction in their property tax shift in 1993-94, allocating property taxes pursuant to the Teeter Plan is a revenue loss for counties over the next ten years. In fact, the only significant change to the Teeter Plan in SB 742 is the one-time reduction in the property tax transfer. When evaluating the Teeter Plan, cities must consider the property tax delinquency rate in their jurisdiction, the level of recoverable delinquencies and their estimation of inflation and the cost of borrowing money over the next ten to twenty years. (Referred to previously in Bulletin #28-1993.)